

*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Monday – July 2, 2018**  
**6:00 p.m.**  
**Cheswold Town Hall**  
**691 Main Street**  
**Cheswold, Delaware 19936**

The following persons were in attendance:

Mayor Robert Sine  
Secretary/Treasurer Theon Callender  
Councilperson Judy Johnson  
Councilperson Santo Faronea  
Councilperson Mark Moxley

Excused: Vice Mayor Larence Kirby

Police Department: Chief Christopher Workman  
Town Clerk: Shadina Jones

Public Works: Code Enforcement Officer Mike Callender  
Administrative Assistant: Lizett Ayala

Planning Commission: 0

Other Town Employees: 0

# Residents: 0

Visitors: 3

**NOTICE:**

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 18, 2017, on the Town of Cheswold website at: <http://cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on June 27, 2018. Copies of the agenda were available for pick-up at the Town Hall.

**MEETING:**

The meeting was called to order by Mayor Sine, at 6:00 pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

**PROPERLY POSTED:** Based on the dates of the posting of the meeting and the agendas, Mayor Sine acknowledged that the meeting had been properly posted.

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**ROLL CALL:**

The Mayor requested Secretary Callender to conduct a roll call of Council members and attendance was confirmed as noted above. A quorum of members was presented to the Mayor and the meeting continued.

**AGENDA REVIEW:**

Mayor Sine requested the Council review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendment requests as needed.

A motion to accept the agenda as revised was made by Councilperson Johnson and seconded by Councilperson Faronea. A roll call vote on the motion resulted in a unanimous vote to approve.

**REVIEW of PEVIOUS'S MONTHS MEETINGS:**

Mayor Sine requested the Council to review the accuracy of the previous month's minutes and for a motion to accept them as presented or to make changes and amendment requests as needed.

The minutes to be reviewed were as follows:

June 4, 2018 - Monthly Town Council Meeting

A motion to accept the Monthly Town Council minutes, as presented was made by Secretary/Treasurer Callender and Councilperson Johnson made a second to approve the motion.

A roll call vote on the motion resulted in a unanimous vote to approve.

**TREASURER'S REPORT:**

The Mayor requested Council to make any necessary statements or to make a motion to approve the following Treasury Reports, which were read by him:

- a. The Treasurer's Reports for the **Month of June, 2018**, is as follows:

**Monthly Cash Flow Comparisons**

<b>TOWN of CHESWOLD</b>	<b>June, 2018</b>	<b>Fiscal Year End 2018</b>
<b>Cash Receipts</b>	<b>\$ 56,006.70</b>	<b>\$ 717,698.21</b>
<b>Cash Disbursements</b>	<b>\$ 63,286.63</b>	<b>\$ 681,744.02</b>
<b>Negative Monthly Cash Flow</b>	<b>(\$ 7,279.93)</b>	<b>\$ 35,954.19</b>

<b>ADMINISTRATION</b>	<b>June, 2018</b>	<b>Fiscal Year End 2018</b>
Cash Receipts	<b>\$ 36,416.84</b>	\$ 552,655.68
Cash Disbursements	<b>\$ 28,501.45</b>	\$ 335,516.61
Positive Monthly Cash Flow	\$ 7,915.29	\$ 217,139.07

<b>POLICE DEPARTMENT</b>	<b>June, 2018</b>	<b>Fiscal Year End 2018</b>
Cash Receipts	\$ 11,638.68	\$ 59,628.53
Cash Disbursements	\$ 29,379.76	\$ 257,127.25
<b>Negative Monthly Cash Flow</b>	<b>(\$ 17,741.08)</b>	<b>(\$ 197,498.32)</b>

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**TREASURER'S REPORT** "continued":

<b>PUBLIC WORKS</b>	<b>June, 2018</b>	<b>Fiscal Year End 2018</b>
Cash Receipts	\$ 7,951.18	\$105,413.60
Cash Disbursements	\$ 5,405.42	\$ 89,100.16
Positive Monthly Cash Flow	\$ 2,545.76	\$ 16,313.44

c. The Treasurer's Report, **(Account Balances)**, for the **Month of June, 2018**, is as follows:

<b>As of:</b>	<b>June, 2018</b>
Capital Account	\$ 30,241.21
Cheswold Heritage Day Account	\$ 2,789.27
Eide Grant Fund Account	\$ 1,123.32
Fire Company Account	\$ 41,231.30
General Fund Account	\$ 198,533.53
Land Use Applicant's Account	\$ 27,364.28
Litigation Account	\$ 3,458.59
Municipal Street Aid Account	\$ 40,591.18
Salle Grant Fund Account	\$ 279.54

A motion to approve the Treasurers Report was made by Councilperson Moxley. Councilperson Johnson made a second to the motion and a roll call vote on the motion resulted in a unanimous vote to approve.

**d. Requisitions -**

<u>Req. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
R800072	Police Dept.	Lawman Supply	On and Off Duty Glock's	\$1,152.00	Violent Crimes
<i>Approved for Record Purposes Only</i>					

**e. Proposed Purchases -**

<u>P.O. #</u>	<u>Department</u>	<u>Vendor</u>	<u>Item</u>	<u>Amount</u>	<u>To Be Paid By</u>
<b><i>NOTHING TO REPORT</i></b>					

**f. 2018 - 2019 Budget Review & Vote**

Secretary/Treasurer Callender presented the Budget Summary reflecting the end of Fiscal Year 2017 - 2018 balances.

Councilperson Moxley made a motion to approve the Budget and Summary as submitted. Councilperson Faronea made a second to the motion and it passed with a unanimous vote of the Town Council.

The approved budget is as follows:

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**TREASURER'S REPORT** "continued":

**2018 - 2019  
APPROVED BUDGET SUMMARY**

**ANTICIPATED REVENUE:**

Cash Carry-Over 2017 – 2018 ( <i>As of 6/30/18</i> ))	\$198,533
General Fund ( <i>Administration</i> )	\$ 385,000
Police Department	\$ 74,100
Public Works	\$ 204,700
Capital Account – Cash Carry-Over ( <i>As of 6/30/18</i> )))	\$ 30,241
Cheswold Heritage Day Account Cash Carry-Over ( <i>As of 6/30/18</i> )))	\$ 2,789
<b>TOTAL</b>	<b>\$ 895,363</b>

**ANTICIPATED EXPENSE:**

General Fund* ( <i>Administration</i> )	\$ 490,475
Police Department	\$ 300,369
Public Works	\$ 7,100
Capital	\$ 0
Cheswold Heritage Day	\$ <b>750**</b>
<b>TOTAL</b>	<b>\$ 798,694</b>
<b>DIFFERENCE</b>	<b>\$ 96,669</b>

*\*Includes Vann Litigation Payment of \$36,000*

*\*\*Added as result of Town Council motion – June 4, 2018*

**TAX COLLECTOR'S REPORT**

**a. Month of May 2018**

**TAX REPORT: FISCAL YEAR 2017 – 2018**

Total Amount Billed: \$142,672.80

Payments as of:

**Current Year: Past Due Paid:**

07/31/2017	\$ 13,625.28	\$ 672.75
08/31/2017	\$ 99,039.63	\$ 1,467.92
09/30/2017	\$ 4,294.26	\$ 485.02
10/31/2017	\$ 649.17	\$ 66.41
11/30/2017	\$ 665.33	\$ 69.50
12 /31/2017	\$ 1,402.90	\$ 626.53
01/31/2018	\$ 139.20	\$ 15.80

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02/29/2018	\$ 536.46	\$ 43.75
03/31/2018	\$ 4,301.27	\$ 838.53
04/30/2018	\$ 448.31	\$ 133.70
05/31/2018	\$ 299.45	\$ 50.55
06/30/2018	\$ 317.32	\$ 69.48

The Tax Report was accepted by the Mayor and Council as presented.

**b. DELINQUENT TAXES – Town Clerk Shadina Jones**

Ms. Jones reported that twenty, (20), properties owing or exceeding \$1,000.00 in taxes due, have been forwarded to the Town Attorney for the placement of property liens. The total taxes due are \$43,461.20.

**POLICE DEPARTMENT REPORT – Chief Christopher Workman:**

Prior to Chief Workman delivering the following reports for the months of June, 2018, to the Mayor and Council, the swearing in ceremony of Probationary Officer Miles H. Little was held.

**JUNE, 2018:**

- **Swearing-In Ceremony**

While the Bible was held by his wife, Mrs. Alysha Little and the badge was presented by his son, Ryland, Probationary Officer Miles H. Little swore to uphold the duties, honor and obligations of his position as a Cheswold Police Officer and to the Town, the State of Delaware and the United States of America. Officer Little who graduated from the Delaware Police Academy in February of this year, will begin his field training on June 29<sup>th</sup>, for a period of 12 weeks.

- **New Ordinance**

The Cheswold Police Department is working on a new Ordinance to combat nuisance and repeat calls for non-emergency events at a residence.

- **Training**

Cpl. Simms and Patrolman Ketterer will be attending training at the DSP Academy on August 13, regarding Youth Crimes.

- **Tahoe**

A quote for new tires for the Tahoe was obtained. The total cost to replace tires which are badly worn is at total of \$571.35 and must be made at the time of purchase. The cost is based on the State Contract purchase price at Mr. Tire Auto Center in Smyrna, DE. A motion to approve the purchase of the tires was made by Secretary/Treasurer Callender and a second was received from Councilperson Moxley. The motion passed with a unanimous vote of the Town Council by roll call vote.

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**POLICE DEPARTMENT REPORT** – “continued”

- **Traffic Summons** –  
 Officers issued 250 traffic summonses during the month of June.
- **Monthly Activity Report** -  
 Officers responded to or completed reports for 111 Incidents for the month of June, 2018. A total of ten, (10), incidents were handled by outside agencies after hours or not dispatched.
- **Monthly Incident Report – June, 2018**

911 Disconnects = 3	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 1	Relay = 0
Accidents-PD = 1	Fugitives = 9	Repossessions = 1
Accidents PI= 0	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 1	Robberies = 0
Alarms = 4	Lost Property = 1	Sex Crimes = 1
Alcohol Violations = 1	Lost/Stolen Tag = 0	Shoplifting = 0
Animal Complaints = 0	Loud Party = 0	Shots Fired = 0
Assaults = 0	Medical Transport = 0	Solicitation = 0
Assigned in Error = 0	Megan’s Law = 0	Stolen Vehicle = 2
Assist Other Agencies = 26	Mental Patient = 0	Suspicious Noise = 0
BOLO = 0	Misc. Investigation = 0	Suspicious Person/s = 1
Burglary = 0	Missing Person = 1	Suspicious Vehicle/s = 1
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 0	Offensive Touching = 0	Thefts = 2
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 0	Open Door/Window = 0	Traffic Hazard/Service = 2
Criminal Impersonation = 1	Ordinance Violation = 0	Traffic Violations = 16
Criminal Mischief = 0	Overdose = 0	Trespass = -0
Curfew = 0	Parking Violation = 0	Unassigned = 0
Custody Dispute = 0	Pay Job/Special Duty = 9	Unfounded = 0
Death Investigation = 3	Pedestrian Stop = 0	Vehicle/s – Abandoned = 0
Disorderly = 0	PFA Service = 0	Vehicle/s – Disabled = 0
Domestics = 1	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 4	Property Checks = 8	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 1	Warrant Service = 1
DUI = 0	Public Assistance = 9	Weapon – Gun = 0
Fight = 0	Pursuit = 0	Welfare Check = 4

**IF YOU DON’T CALL WHO WILL – CALL 9-1-1**

The Police Department Report was accepted as presented.

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**PUBLIC WORKS REPORT** – *Code Enforcement Officer Mike Callender*

**a. Status Report** – The following report was submitted to the Mayor and Council:

	<b><u>PERMITS ISSUED</u></b>	<b><u>NEW VIOLATIONS</u></b>	<b><u>CLOSED VIOLATIONS</u></b>	<b><u>BUSINESS LICENSES ISSUED</u></b>	<b><u>BUILDING INSPECTIONS</u></b>
<b>June, 2018</b>	<b>8</b>	<b>1</b>	<b>0</b>	<b>16</b>	<b>2</b>

**b. CODE ENFORCEMENT PROPERTIES**

- 1. 10 & 24 Wellington Way - 30 New Street** – Responded to a call from a neighbor regarding sump pump water discharge across the sidewalk. Spoke to both home owners individually regarding a solution and notified them to remove the PVC piping.

Have received two, (2), demolition estimates:

- **Sunnyfield Construction - \$8,750.00**  
If asbestos abatement survey is required additional - \$600.00  
If asbestos is present additional - \$1,000.00  
Could total - **\$10,350.00**
- **Gateway Construction - \$16,800.00**  
Asbestos abatement survey and potential removal are included in estimated cost.

**Note:** *The above estimates are from 2016. If a decision is made to demolish 30 New Street, new estimates would have to be obtained.* **PENDING**

- 2. 33 New Street** – All attempts to contact Doug Wiseman, the property owner, have been and unsuccessful. Two Notices of Violation have been mailed to the last known address. The overgrown weeds and grass at this property have been cut by Mr. Ziegenhorn. In discussion with new Attorney concerning possible Town options. **PENDING**
- 3. 67 Main Street** – Cheswold United Methodist Church has an unsecured pool in the backyard of the residence, i.e., it has no fence or barrier in violation of the International Property Maintenance Code. A letter notifying the Church of the violation has been forwarded. **PENDING**
- 4. 176 Boggs Run** – Property has been purchased by SS investments and is undergoing rehabilitation. **IN PROGRESS**
- 5. 179 Commerce Street** – Plans are being drawn for submission to Town Building Official for the permit process. **PENDING**

- c. Combination/Revision of Fee Schedules** – Mr. Callender explained that work was in progress to combine all the Town Fee Schedules into one Ordinance and to include revisions to certain permit and building licenses fees, such as re-inspection fees and to add the previously approved plumbing and electrical fees to the Ordinance.

The Ordinance will serve as one stop shop for all building permits, business licenses, land use fees, and fines for violations. The document is in progress and will be forwarded to Mayor and Council prior to next months Public Hearing meeting.

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**PLANNING COMMISSION REPORT** – *Land Use Administrator Sam Callender*

- a. 2020 Comprehensive Plan - Pre-Plus Response:** Ms. Callender confirmed that the Office of State Planning Coordination had provided a copy of their Pre-Plus Review and it has been forwarded for review and comment to the Mayor, Council and members of the Planning Commission.
- b. 2020 Comprehensive Plan Questionnaire Meeting** – Ms. Callender reported that the Planning Commission has scheduled a meeting, open to the Mayor, Council, Police Department, and all Town Employees for Monday, July 9, 2018 at 6:00 pm, in Nobles Pond. The purpose of the meeting is to begin development of the questionnaire to be used for information in the 2020 Comprehensive Plan.
- c. Land Use Ordinance Revision - Article 13 Signs**  
Completion pending - Set back tables require review prior to submission to Mayor and Council for review

**ORDINANCES** - *Town Administrator Sam Callender*

- a. Draft Revision- Ordinance 08-05-11-024 Sprinkler Systems**  
There were no suggestions for corrections or revisions.
- b. Draft Ordinance 05-04-15-009 Residential Inspections**  
There were no suggestions for corrections or revisions.
- c. Draft Ordinance 07-02-2018-051 Combination/Revision and Inclusion of Fee Schedules**  
Ordinance establishes a fair and equitable method of licensing various business types operating within the Town in any given fiscal year.

**RESOLUTIONS** - *Town Administrator Sam Callender*

- a. Resolution 07-02-2018-085** - Resolution for the Public Hearing of the Revision of the 2012 International Residential Code of the Town of Cheswold
- b. Resolution 07-02-2018-086** - Resolution for the Public Hearing for the Establishment of the Residential Rental Property Registration, Inspection and Permitting in the Town of Cheswold
- c. Resolution 07-02-2018-087** – Resolution for the Public Hearing of the Combination and Revision of Fee Schedules in the Town of Cheswold

A motion to approve all three, (3), resolutions was made by Councilperson Faronea. Councilperson Johnson made a second to the motion and it passed with a unanimous roll call vote of the Council.

**Old Business:**

- a. Town Charter Update** – *Vice Mayor Kirby*  
Discussion was put on hold due to Vice Mayor Kirby being excused from the meeting.
- b. Town of Cheswold vs. Cheswold Business Park** – *Town Administrator Sam Callender*  
After approximately five, (5), years of Court battles, the Town of Cheswold has won its Land Use case against the Cheswold Business Park in the State Supreme Court. The Town now has the right to manage the Park according to the current Land Use Ordinance.

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**Old Business:** - *"continud"*

**c. Water (Fire Hydrants) to Old Town** - *Town Administrator Sam Callender*

Ms. Callender additionally reported that she has been informed by State Representative Trey Paradee that the Town has been allocated \$150,000 of Municipal Infrastructure Funds for fire hydrants in Old Town. Tidewater has committed to the project. However, \$250 to \$275,000 is required to repair and repave the streets after the installation of the hydrants. Mr. Paradee has also promised funds from his Community Transportation Fund account to assist in the cost of the street repairs. Receipt of actual numbers are pending.

**New Business:**

**1. Proposal to Purchase Town Owned Lane** - *Town Administrator Sam Callender*

Involved parties have failed to contact the Town since the initial discussion. Therefore this item is considered closed.

**2. Habitat for Humanity** - *Vice Mayor Larence Kirby*

Discussion was put on hold due to Vice Mayor Kirby being excused from the meeting.

**3. Main Street Crossing** - *Vice Mayor Larence Kirby*

Discussion was put on hold due to Vice Mayor Kirby being excused from the meeting.

**4. MSA & CTF Increase Approvals** - *Town Administrator Sam Callender*

Municipal Street Aid has been increased from \$5M to \$6M and Community Transportation Funds from \$17M to \$22M.

**COMMUNITY COMMENTS:** *Nothing to Report*

**COUNCILPERSON COMMENTS:**

**Vice Mayor Larence Kirby** - *Excused*

**Secretary/Treasurer Theon Callender** - *Nothing to Report*

**Councilperson Judith Johnson** - welcomed Officer Little and inquired as to when construction will begin on Main Street. Town Clerk Jones says the project is on hold pending receipt of construction materials.

**Councilperson Santo Faronea** - *Nothing to Report*

**Councilperson Mark Moxley** - *Nothing to Report*

**MAYOR'S COMMENTS:**

Mayor Sine informed everyone that we were invited to attend the 2<sup>nd</sup> Annual Lenape Celebration to be held on the Dover Green, on September 1, 2018, from 12:00 pm to 1:30 pm. He encouraged all to attend to represent the Town of Cheswold as the home of the Lenape.

**Motion to Adjourn**

A motion was made by Councilperson Callender, seconded by Councilperson Moxley to adjourn at 6:38 p.m. A roll call vote on the motion resulted in a unanimous vote to approve. The meeting adjourned immediately thereafter.

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